

STATE OF TEXAS §
COUNTIES OF ARANSAS §
SAN PATRICIO AND NUECES §
CITY OF ARANSAS PASS §

On this the 7th day of February, 2011 the City Council of the City of Aransas Pass convened in a Regular Council Meeting being open to the Public at the regular meeting place thereof in the City Hall and notice of said meeting giving the time, place, date and subject hereof having been posted and prescribed by Chapter 551 of the Texas Government Code with the following attendance to wit constituting a quorum.

PRESENT: Tommy Knight, Mayor
Ross McElwee Council Member
Jay Attaway Council Member

ABSENT: Vickie Abrego, Mayor Pro Tempore
Phillip Hyatt Council Member

ADMINISTRATIVE
PERSONNEL PRESENT: Allen Lawrence City Attorney
Reggie Winters, City Manager
Yvonne Stonebraker City Secretary

ADMINISTRATIVE
PERSONNEL ABSENT:

STAFF PRESENT: Rickie Kilgore

OTHERS PRESENT: Sandy Kubek, Jim & Alpha Covington, Donald & Jeanie Brummett, John McCreary, Kris Spears, Jim Mills, Randy & Jeanne Hunter, Rosemary Vega, Ed & Ellie Block, Father Tom Keith

There may have been others present who did not sign in.

1. **CALL MEETING TO ORDER.**

Mayor Knight called the meeting to order at 7:00 P.M. on February 7, 2011.

2. **INVOCATION AND PLEDGE OF ALLEGIANCE TO THE UNITED STATES FLAG.**

Father Tom Keith gave the invocation. Mayor Knight led the pledge of Allegiance to the United States Flag.

3. **CONSIDER AND ACT ON APPROVING THE MINUTES OF JANUARY 20, 2011.**

Council Member Attaway made a motion to approve the minutes of January 20, 2011. Council Member McElwee seconded the motion and the motion carried unanimously.

4. **CONSIDER AND ACT ON FATHER TOM KEITH'S REQUEST TO ACQUIRE LOTS 14-16, BLOCK 441, 855 S. MCCAMPBELL FOR HABITAT FOR HUMANITY.**

Father Tom Keith made an offer of \$1,000 for Lots 14-16, Block 441, 855 S. McCampbell for the next Habitat for Humanity house.

Mayor Knight stated taxes hadn't been paid on the address in quit a while.

Council Member McElwee made a motion to accept Father Tom Keith's offer of \$1,000 for Lots 14-16, Block 441, 855 S. McCampbell for the next Habitat for Humanity house and the \$1,000 would be used to release tax liens and to have the property put back on the tax roll. Council Member Attaway seconded the motion and the motion carried unanimously.

Mayor Knight recognized San Patricio County, County Attorney David Aken.

5. **CONSIDER AND ACT ON ORDINANCE NO. 2011-3991 – AMENDMENT TO PIPELINE RIGHT-OF-WAY EASEMENT.**

Mr. John McCreary with Tema Oil and Gas Company stated the present pipeline was at the end of its life and Tema would like to install an additional pipeline. He stated he would be available if the council had any questions.

Council Member Attaway made a motion to approve Ordinance No. 2011-3991 – An amendment to pipeline right-of-way easement. Council Member McElwee seconded the motion and the motion carried unanimously.

6. **CONSIDER AND ACT ON ORDINANCE NO. 2011-3992 – AN ORDINANCE AUTHORIZING COLLECTION FEE IN THE AMOUNT OF 30% OF DEBTS AND ACCOUNT RECEIVABLE SUCH AS UNPAID FINES, FEES, COURT COSTS, FORFEITED BONDS, AND RESTITUTION ORDERED PAID BY A COURT SERVING THE MUNICIPALITY AND AMOUNTS IN CASES IN WHICH THE ACCUSED HAS FAILED TO APPEAR.**

City Manager Reggie Winters stated he and finance director Sandy Roddel spoke with Linebarger, Goggan, Blair and Sampson (tax attorney's) about collecting the City of Aransas Pass warrants. He stated the tax attorneys would add 30% on top of the warrant to cover their (tax attorney's) fees. He stated if Linebarger did not receive any money for the warrant than they (tax attorney's) would not receive any money.

Council Member Attaway made a motion to approve Ordinance No. 2011-3992 – An Ordinance authorizing collection fee in the amount of 30% of debts and account receivable such as unpaid fines, fees, court costs, forfeited bonds, and restitution ordered by a court serving the municipality and amounts in cases in which the accused has failed to appear. Council Member McElwee seconded the motion and the motion carried.

7. **CONSIDER AND ACT ON A CONTRACT FOR FINES AND FEES COLLECTION SERVICES BETWEEN THE CITY OF ARANSAS PASS AND LINEBARGER, GOGGAN, BLAIR AND SAMPSON.**

City Manager Winters stated a contract for the fines and fees collection services between the City of Aransas Pass and Linebarger, Goggan, Blair and Sampson had been drawn up and approved by the City Attorney.

Council Member McElwee asked if the Council was happy with a three year contract with LineBarger, Goggan, Blair and Sampson?

City Attorney Allen Lawrence stated a change to the contract was that it could be terminated with a 60 day notice.

Council Member McElwee made a motion to approve a contract for fines and fees collection services between the City of Aransas Pass and Linebarger, Goggan, Blair and Sampson. Council Member Attaway seconded the motion and the motion carried.

8. **CONSIDER AND ACT ON A UTILITY CONVEYANCE AGREEMENT BETWEEN THE CITY OF ARANSAS PASS AND SAN PATRICIO COUNTY REGARDING PROJECT 728381-WATER DISTRIBUTION SYSTEM IMPROVEMENTS PROPOSED LOOPED LINES.**

City Manager Winters stated the Utility Conveyance Agreement between the City of Aransas Pass and San Patricio County pertained to Southern Oaks (FKA Iron Gator). He stated San Patricio County was giving the City of Aransas Pass easements to the water lines.

Council Member Attaway made a motion to approve a Utility Conveyance Agreement between the City of Aransas Pass and San Patricio County regarding Project 728381- Water Distribution System Improvements Proposed Looped Lines. Council Member McElwee seconded the motion and the motion carried unanimously.

9. **CONSIDER AND ACT ON OFFER MADE BY MICHAEL AND LISA THERIOT TO SETTLE LIENS ON TAX RESALE PROPERTY LOTS 5, 6, 11, 12 & 13, BLOCK 1.**

City Attorney Allen Lawrence stated the primary trustee on the referenced property was the Aransas Pass Independent School District and the request needed to go before their board.

No action taken.

10. **CONSIDER AND ACT ON REQUEST OF MR. ROBERT COHEN TO LEASE LOT 75, BLOCK R ON CONN BROWN HARBOR.**

No action taken.

11. **CONSIDER AND ACT ON THE ARANSAS PASS CHAMBER OF COMMERCE RENTING SIX (6) BILLBOARDS FOR CITY OF ARANSAS PASS ADVERTISEMENT AND PAYING FEES OUT OF HOTEL/MOTEL FUNDS AND NOT TO EXCEED \$21,000.**

Ms. Kris Spears stated she found a company that would put up billboard advertisements for the City.

Rosemary Vega, with the Chamber of Commerce, stated the company (name not mentioned) would use the City of Aransas Pass advertisements as fillers. She stated when a billboard is not rented, the company would put up a sign, once that billboard was rented, the company would move the advertisement to another unrented billboard sign in the same traffic area requested. She stated the cost is for putting up and taking down the signs and is good for one year.

Council Member McElwee made a motion to approve the Aransas Pass Chamber of Commerce renting six (6) billboards for the City of Aransas Pass advertisement and paying fees out of Hotel/Motel funds and not to exceed \$21,000. Council Member Attaway seconded the motion and the motion carried unanimously.

12. **CONSIDER AND ACT ON APPOINTING THE CITY MANAGER OR HIS REPRESENTATIVE TO THE COASTAL BEND COUNCIL OF GOVERNMENTS BOARD.**

Council Member Attaway made a motion to appoint City Manager Reggie Winters to the Coastal Bend Council of Governments board and to authorize him to send a representative in his place if needed. Council Member McElwee seconded the motion and the motion carried unanimously.

13. **CITIZENS COMMENTS.**

Mr. Robert Cohen stated the City of Aransas Pass donated more money to the March of Dimes than the City of Rockport.

Mr. Jim Mills, President of the Aransas Pass Crime Control and Prevention District, stated his board was having a meeting (Thursday, February 10, 2011 at 6:30p) and invited the Council to attend. He stated one of the agenda items was to set a workshop date to start discussions on the crime board's budget.

Mayor Knight stated two council members could attend the crime board meeting but three would constitute a quorum.

Ms. Jeanne Hunter asked the Council if there would be a service plan available for viewing 10 days before the first Public Hearing. She stated the City Attorney assured her the service plan would be available for viewing. She stated an inventory of services was available on the website but not a service plan.

City Attorney Allen Lawrence stated he contacted Naismith Engineering and was told the service plan was not filed until after the public hearings. He stated there was currently a preliminary service plan available on the website.

14. **RECESS REGULAR MEETING AND RETIRE TO EXECUTIVE SESSION PURSUANT TO CHAPTER 551 OF THE TEXAS GOVERNMENT CODE.**

Recessed into Executive Session at 7:25 P.M.

A. SECTION 551.072 – DELIBERATIONS REGARDING REAL PROPERTY.

15. **RECONVENE IN REGULAR MEETING AND CONSIDER AND ACT ON FINDINGS OF EXECUTIVE SESSION.**

Reconvened into Regular Meeting at 8:40 P.M.

A. SECTION 551.072 – DELIBERATIONS REGARDING REAL PROPERTY.

No action taken.

16. **ADJOURNMENT OF MEETING.**

Council Member Jay Attaway made a motion to adjourn the meeting. Council Member McElwee seconded the motion and the motion carried.

Mayor Knight adjourned the meeting at 8:40 P.M.

Tommy Knight, Mayor

ATTEST:

Yvonne Stonebraker, City Secretary